

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED
JUL 29 2010
7-29-10
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Donald R. Miller

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

10 C 4770

Judge David H. Coar
Magistrate Judge Susan E. Cox

vs.

Tracy Reed
JAMES EGARDT
OF The Dupage
County Sheriff
Ofc. Wolfe

Ofc. Michels - Det Louis

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Donald R. Miller
- B. List all aliases: N/A
- C. Prisoner identification number: 00214141
- D. Place of present confinement: DUPAGE COUNTY Jail
- E. Address: 501 N. County Farm Road Wheaton
Illinois 60187

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Tracy Reed
Title: Detective
Place of Employment: DUPAGE County Sheriff
- B. Defendant: JAMES ECCARDT
Title: Detective
Place of Employment: DUPAGE County Sheriff
- C. Defendant: Off. Wolfe
Title: OFFICER
Place of Employment: Lisle, P.D.

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

D. Defendant - Ofc. Michel's

Title - Officer

Place of Employment - Cisle P.B.

E. Defendant - Det. Louis

Title - Detective

Place of Employment - Cisle P.B.

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: N/A
- B. Approximate date of filing lawsuit: N/A
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: N/A
- D. List all defendants: N/A
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): N/A
- F. Name of judge to whom case was assigned: N/A
- G. Basic claim made: N/A
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A
- I. Approximate date of disposition: N/A

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

ON OR ABOUT June 30, 2010 AT 12.50 PM. I received A Call From James ECCARDT Who I later Found out to Be A Detective. James ECCARDT Asked Me to meet Him on Ogden And Fender At R And I Convenient Store in Jilse Illinois DuPage County. So I told Him too give me About 10 min I will meet Him up there, I meet Him up there. BECAUSE I Had Been Acquainted with James ECCARDT Through A friend Named Robert. I got Into James ECCARDT Truck And Asked Him What Was up. He (James ECCARDT) Asked Me About Drugs And Before I could protest About Any Knowledge About what He WAS referring to He said

"Yes you Do" And He punched me
 In the face. I was Dazed And
 Another Person who I came to know
 As Tracy Reed opened the passenger
 Door that I was on. Punched me
 In my right eye And pulled me
 out of the car. And Him (Detective
 Tracy Reed Officer Wolke, Officer
 Michels And Officer Louis Began
 to Beat me. I was on the ground
 And the 2 Officer whom I did not
 see Because my face was covered
 in Blood Began to Beat Me.
 I was not Resisting them what so
 ever. And I Repeatedly told them
 I have A Metal plate in my leg
 But these police continued to Faze
 And Beat me. When I Arrived At
 The 11th Police Department I
 Ask the officer's if I could see
 A Doctor to look At my face
 And leg's Because I have A plate
 in one An my whole side is Numb

They Told Me to Shut the
Fuck up And I'm Not Going Any
Where But to Jail.

The FACT ARE (1) These officer of
The Dupage County Sheriff And
Jolse Police Department Beat me
up And TAZZED me for no reason
And to ADD Insult to Injury they
Charged me with Resisting A Peace
Officer.

(2) Every thing was on should
have Been Caught on The Dupage
County on Jolse Police Car Camera's
And The Camera's of Rand's convenient store.

(3) I Have Severe PAIN'S in my
Right leg were I was Beat And
Kicked. And I have 12* Screws And
2* Metal Plate's that when I was
TAZZED I can not feel my whole
Right side. And They were kicking me in my
Back.

(4) The Officer use Excessive Force for NO
REASON.

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V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I WANT 250,000\$ From Detective James ECCARD + AND I WANT 250,000 \$ From Detective TRACY Reed Also For every OFFICER involved I WANT 25,000.\$ And An Apology From the Dupage County Sheriff And Ilse Police Department Respectably.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 21 day of July, 2010

Miller Donald
(Signature of plaintiff or plaintiffs)

MILLER Donald
(Print name)

00214141
(I.D. Number)

Dupage County Jail 507 N.
County Farm Road Wheaton IL 60187
(Address)